

# CLE Program - Fourth Amendment Jurisprudence of Justice Sonia Sotomayor

## Justice Sotomayor on the Fourth

This program examines the Fourth Amendment search and seizure jurisprudence of Justice Sonia Sotomayor. It looks at her majority, concurring, and dissenting opinions in the area. These opinions cover a wide variety of Fourth Amendment doctrines and concepts. The presenter, David L. Hudson, Jr. will discuss many of these and related doctrines, including the automobile exception, forced blood draws in DUI cases, qualified immunity, facial challenges in the Fourth Amendment, the exclusionary rule, the good faith exception to the exclusionary rule, and many more.

### I. Majority Opinions

*Collins v. Virginia* --- the automobile exception and the curtilage

*City of Los Angeles v. Patel* ---- facial challenges under the Fourth Amendment

*Missouri v. McNeely* – warrant requirement for blood draws in DUI cases

### II. Concurring Opinion

*United States v. Jones* --- trespass theory not enough for the Fourth Amendment; dangers of surveillance

### III. Dissenting Opinions

*Utah v. Strieff* --- racial profiling and the need for individualized suspicion

*Heien v. North Carolina* – mistakes of law

*Kansas v. Glover* --- majority destroys individualized suspicion

## Prof. Hudson's Articles on Justice Sotomayor:

<https://www.freedomforum.org/2020/08/10/justice-sonia-sotomayor-defending-individuals-and-constitutional-freedoms/> (piece generally about some of her First Amendment work) this law review I wrote is how I got into Justice Sotomayor's Fourth Amendment jurisprudence --- in my PP, I did not discuss all of the cases in the law review but did touch on most of them. I also tried to discuss some concepts more broadly in the PP lecture.

<https://digitalcommons.law.seattleu.edu/sulr/vol44/iss1/30/> (law review essay on J. Sotomayor's Fourth Amendment jurisprudence)